

Remarks and Arguments

Claims 28-35, and 41-55 are currently pending. Claims 28-35, and 41-55 stand rejected under 35 U.S.C. §112 as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically the Office alleges that “pre-treated” lacks antecedent basis. Without acquiescing in the rejection, and for the sole purpose of expediting prosecution, Applicants have deleted the term from the claim.

The Office also alleges that claim 30 encompasses everything encompassed by claim 28, if pre-treatment refers to step b) of claim 28. Alternatively, the Office suggests that one cannot infer what agent/composition might be employed in the pre-treating step. The Office reasons that if one assumes that claim 30 further limits claim 28, then one would conclude that claim 30 must broadly also encompass an embodiment in which step b) follows step c). The Office believes in such case the pre-treating step in c) must refer to a treating with some agent/ composition other than the active enamel substance of step b). Applicants believe deletion of the term “pre-treatment” addresses this concern as well.

The Office also alleges that claims 29-31 are confusing by reciting “is applied,” since no “applying” step has been recited in claim 28. Without acquiescing in the rejection, and for the sole purpose of expediting prosecution, Applicants have amended claim 28 to recite “applying.”

The Office further alleges that claim 28 is confusing in step b) by reciting “prophylactically effective amount,” because according to the Office, one cannot infer what reaction/process/condition is supposed to be prevented. Without acquiescing in the rejection, and for the sole purpose of expediting prosecution, Applicants have amended the claim preamble to recite “a method for providing for the take of a graft.” Applicants believe this amendment obviates the Office’s rejection.

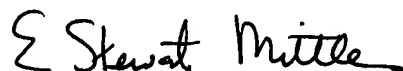
The Office further objects to claim 35 alleging it is in improper dependent form because, according to the Office, it fails to further limit the subject matter of a previous claim. The Office specifically alleges that “epidermal cells” is broader than “cultured epidermal cells.” Without acquiescing in the objection, and for the sole purpose of

expediting prosecution, Applicants have amended claim 35 to recite "cultured epidermal cells," thus obviating the objection.

Support for the amendments made herein can be found in the specification on page 1, line 20- page 2, line 9, as well as the claims, as originally filed.

Applicants believe the amendments made herein address each of the Examiner's concerns. Accordingly, Applicants believe that the claims are now in condition for allowance and an early allowance is earnestly sought.

Respectfully submitted,



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